

THE KERALA ANIMALS AND BIRDS SACRIFICES PROHIBITION (AMENDMENT) BILL

A bill to amend the laws relating to prohibition of sacrifice of animals and birds in or in the precincts of Hindu Temples in the State of Kerala.

BE it enacted in the 59th Year of the Republic of India as follows:—

1. *Short title, extent and commencement.*—(1) This Act may be called the Kerala Animals and Birds Sacrifices Prohibition (Amendment) Act,—
(2) It shall come into force on such date as the Government may notify in the official Gazette.
(3) It shall extent to the whole of the State of Kerala.

2. *Insertion of Explanation to Section 3.*—After Section 3 of the Kerala Animals and Birds Sacrifices Prohibition Act 1968 (Act 20 of 1968) hereinafter referred to as ‘the Principal Act’, the following Explanation shall be inserted, namely:—

“*Explanation.*—A temple or precincts thereof shall include any holy or hallowed bush or area regarded by a person or body of persons as sanctified or capable of giving religious benefit through any act of sacrifice of any living creature.”

3. *Insertion of Section 3A.*—After Section 3 of the Principal Act, the following section shall be inserted, namely:—

“3A. (1) Any police officer of and above the rank of Sub Inspector or Revenue official of and above the rank of Revenue Inspector shall have the power to enter any place falling within the definition of Section 3 if he has reasonable grounds to believe that any animal or bird has been or is likely to be sacrificed, seize all materials relevant to such offence and arrest any person who commits or abets any commission of the offence under Section 3.

(2) Any person who witnesses or has reasonable grounds to believe that a crime under Section 3 is likely to be committed or has been committed may file a petition to the nearest police station whereupon any officer in such station shall take prompt action under this Act.

(3) Any Society for Prevention of Cruelty to Animals (for short the Association) Inspector or other officer under the Association, if any, in the locality shall have the same powers as the Sub Inspector of Police vis-a-vis an offence under Section 3.

(4) Any person under sub-section 2 or 3 may move the nearest Magistrate setting out a complaint under Section 3 against any person accused of an offence under Section 3.”

Statement of Objects and Reasons

“Farewell to violence is a great vision”, said Justice V.R. Krishna Iyer in a judgment of the Supreme Court of India. Violence in any form is denial of Justice. Like human beings, planet, every living being birds, animals etc. has a right live a life without any interference from any quarters. Article 51 A of the Constitution mandates a duty on the part of every citizen of India “to protect and improve the natural environment including forests, lakes, rivers and wildlife to have compassion for living creatures”. Indiscriminate killing of birds and animals for human consumption, for sacrifice or for sport should be prevented at all costs. It is an offence under this Bill to indulge in such inhuman acts .The Amendment Bill seeks to achieve the above purposes.
